

Remarks

Claims 1-5 are pending in the application. Reconsideration and allowance of the application are respectfully requested.

The non-final Office Action dated October 19, 2007 lists the following objections and rejection: an objection to the drawings under 37 CFR 1.83(a); an objection to the abstract; and claims 1-5 stand rejected under 35 U.S.C. § 103(a) over Donnelly et al. (U.S. Patent No. 6,125,157) in view of Hiiragizawa (U. S. Patent No. 5,963,075).

Applicant respectfully traverses the objection to the drawings because the applicant for a patent is only required to furnish a drawing of his or her invention where necessary for the understanding of the subject matter sought to be patented. *See, e.g.*, 37 CFR 1.81(a). Applicant submits that aspects of the claimed invention directed to a main clock generator that distributes a reference clock signal to the logic blocks would be clear to one of skill in the art based upon Applicant's specification. *See, e.g.*, paragraph 0015. Thus, the main clock generator need not be shown in the drawings because it is not necessary for understanding by the skilled artisan of the subject matter sought to be patented. Accordingly, the objection to the drawings is improper and Applicant requests that it be removed.

In response to the objection to the abstract, Applicant has provided a copy of the abstract on a separate sheet of paper as page 2 of this paper. Thus, Applicant submits that the objection to the abstract has been overcome and Applicant requests that it be withdrawn.

Applicant respectfully traverses the § 103(a) rejection of claims 1-5 because the cited portions of the Hiiragizawa reference do not correspond to the claimed invention which includes, for example, aspects directed to a set of synchronized local clock signals of a first block being phase shifted relative to a set of synchronized local clock signals of a second block. The Office Action acknowledges that the Donnelly reference does not disclose these aspects of the claimed invention. In an attempt to address this deficiency, the Office Action cites to portions of Hiiragizawa that teach a single clock signal M 111 that is provided to peripheral block A 104 and a single clock signal N 112 that is provided to peripheral block B 105, with clock signal M 111 being out of phase with clock signal N 112. *See, e.g.*, Figures 5 and 7. Thus, the cited portions of Hiiragizawa

only teach that two clock signals are out of phase with each other, not that a set of local clock signals of a first block is phase shifted relative to a set of local clock signals of a second block as in the claimed invention. The Office Action fails to cite to any reference that teaches these aspects of the claimed invention. As Applicant's disclosure is the only reference present that teaches these aspects of the claimed invention, Applicant submits that any combination that includes these aspects would appear to be based upon improper hindsight reconstruction. *See, e.g.*, M.P.E.P. § 2142. Accordingly, the § 103(a) rejection of claims 1-5 is improper and Applicant request that it be withdrawn.

Applicant further traverses the § 103(a) rejection of claims 1-5 because the modification of the Donnelly reference proposed by the Office Action would render Donnelly unsatisfactory for its intended purpose. According to M.P.E.P. § 2143.01, if a "proposed modification would render the prior art invention being modified unsatisfactory for its intended purpose, then there is no suggestion or motivation to make the proposed modification". *See, also, In re Gordon*, 733 F.2d 900 (Fed. Cir. 1984). The Office Action proposes to modify Donnelly such that tclk 3230 and rclk 3220 in each of the master and slave devices (3100, 3110 and 3120) are synchronized with each other. However, the primary purpose of Donnelly is for tclk 3230 and rclk 3220 to have precise phase relationships to the pair of clocks (CTM and CFM) generated by oscillator 3170 in order that data may be transmitted using both edges of the CTM or CFM clock and safely sampled in the receiver when the data is not changing. *See, e.g.*, Figure 22 and Col. 11:6-51. The Donnelly reference relies upon these precise phase relationships in order to function in its intended manner. Applicant submits that the Office Action's proposed modification would alter these phase relationships, thus rendering Donnelly unsatisfactory for its intended purpose. Accordingly, there would be no motivation for the skilled artisan to modify Donnelly in the manner proposed by the Office Action.

Moreover, the Office Action appears to be improperly taking Official Notice that aspects of the claimed invention directed to a local clock generator in each logic clock that generates a respective set of synchronized local clock signals that are provided to respective elements of the logic block are well known. According to M.P.E.P. § 2144.03, "It would not be appropriate for the examiner to take official notice of facts without citing a prior art reference where the facts asserted to be well known are not capable of

instant and unquestionable demonstration as being well-known.” Applicant submits that these aspects of the claimed invention are not capable of instant and unquestionable demonstration as being well-known. Thus, the Office Action’s assertion that these aspects of the claimed invention are well-known without citing to a prior art reference is improper.

In addition, the Office Action fails to provide any evidence of motivation to modify the Donnelly reference. This approach is contrary to the requirements of § 103 and relevant law. *See, e.g., KSR Int'l Co. v. Teleflex Inc.*, 127 S. Ct. 1727, 1741 (U.S. 2007)

Although common sense directs one to look with care at a patent application that claims as innovation the combination of two known devices according to their established functions, it can be important to identify a reason that would have prompted a person of ordinary skill in the relevant field to combine the elements in the way the claimed new invention does. This is so because inventions in most, if not all, instances rely upon building blocks long since uncovered, and claimed discoveries almost of necessity will be combinations of what, in some sense, is already known.

The Office Action proposes to combine a local clock generator with each of Donnelly’s devices (3100, 3110 and 3120) that provides a set of synchronized local clock signals to the transmitters 3190 and receivers 3180 of Donnelly’s devices. The Office Action alleged reason why the skilled artisan would modify Donnelly “is to allow the circuit providing the plurality of synchronized local clock signals to the plurality of respective elements of the logic blocks”. Applicant submits that the Office Action’s alleged motivation for modifying Donnelly is illogical in that the alleged motivation is the same as the proposed modification. In other words, the Office Action has simply identified elements and appears to be arranging these elements in the manner taught by Applicant’s specification. Thus, the Office Action has failed to identify a reason why the skilled artisan would modify the Donnelly reference as required.

In view of the above, the § 103(a) rejection of claims 1-5 is improper and Applicant requests that it be withdrawn.

Applicant further traverses the § 103(a) rejection of claim 2 because the cited portions of the Donnelly reference do not correspond to aspects of the claimed invention directed to the first and second logic blocks communicating via a one-way data path. The

Office Action improperly asserts that Donnelly's data bus 3150 corresponds to the claimed one-way data path. The cited portions of Donnelly teach that data bus 3150 is used for transmitting data from master device 3100 to slave devices 3110 and 3120, and that data bus 3150 is used for transmitting data from the slave devices to the master device. *See, e.g.*, Figure 22 and Col. 11: 13-18. Thus, Donnelly's data bus 3150 enables two-way communication between the master device and the slave devices in contrast to the one-way data path of the claimed invention. Accordingly, the § 103(a) rejection of claim 2 is improper and Applicant requests that it be withdrawn.

Applicant notes that minor amendments have been made to claims 1-2 to remove unnecessary reference characters. These amendments are not being made to overcome any of the rejections raised by the Office Action, which fail for the reasons discussed above.

In view of the remarks above, Applicant believes that each of the rejections has been overcome and the application is in condition for allowance. Should there be any remaining issues that could be readily addressed over the telephone, the Examiner is asked to contact the agent overseeing the application file, Peter Zawilski, of NXP Corporation at (408) 474-9063 (or the undersigned).

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